

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

General Delivery
Ridgecrest CA
93555

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

FILED

APR 29 2022

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIABY _____
DEPUTY CLERK

Case No.

1:22CV 00507 AWI HBK
(to be filled in by the Clerk's Office)Jury Trial: (check one) ☐ Yes ☐ No

Susan Shultz

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Department of Justice, et al

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

RECEIVED

APR 29 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Susan Shultz
 Address General delivery
Ridgecrest CA 93555
City State Zip Code
 County Kern
 Telephone Number (760) 977-7733
 E-Mail Address trailer.torot@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Department of Justice Civil Rights
 Job or Title (if known) 950 Pennsylvania Ave DIVISION
 Address Washington DC 90530
City State Zip Code
 County _____
 Telephone Number _____
 E-Mail Address (if known) _____

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name Department of Fair Employment & Housing
 Job or Title (if known) _____
 Address Bakersfield
Kern County CA
City State Zip Code
 County Kern
 Telephone Number _____
 E-Mail Address (if known) _____

☐ Individual capacity ☒ Official capacity

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

Jbshua

Defendant No. 3

Name

Officer Shotwell ←

Job or Title (if known)

Kern County Sheriff Department

Address

1356 Morris Rd

Bakersfield Kern CA

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

For accusing me of trespass and obstructing access to the women's shelter and access to safety. For



Individual capacity



Official capacity

"helping" me as a

"mental crisis"

I fear for my freedom everyday

Defendant No. 4

Name

Kern County Office of Administration

Job or Title (if known)

Address

For dismissing me as "risk management" instead of addressing

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

1115

public health and safety. No

water = worms

Tuxton, Bakersfield, Kern County, CA

93301



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

14th amendment equal protection of the law and
due process

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Denied my civil right to Fair Housing under Cal Gov. Code 7260.5, relocation for persons displaced by a government project. Denied me on the basis that I am not a "special protected group," even though the law says civil rights for ALL persons regardless of race, sex, etc.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Vacated from 4300 Hwy 395, Ridgecrest, CA Kern County, CA 93555 without notice. Accused of trespassing. Denied right to trial or to face my accusers 6th Amendment

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Since April 14, 2020 to present; harassed as a homeless criminal and prevented from access to immediate safety.

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

Vacated without notice - Accused of trespassing in an unsafe building. Ongoing displacement. Blame, harassment, distress, criminalization, denial of resources. Denial of public good faith and access to health and safety.

Denied resources and recognition as a victim of labor traffic.

Which means, I lose my job, my house, my rights, and my dignity, and am harrassed by law enforcement because I have no where to go because I am a hazard to friends and family.

And it means that those a**holes get away with using humans as mops for high mercury levels and destroying their lives. It means public shame and slander against the victim.

It means men who don't even live in California can do whatever they want here and damage the environment without consequence.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

continued → Loss of livelihood and good standing. Loss and/or damage of furniture, clothing, appliances, books. Vehicle broke down from hauling water - as a barter to use my neighbor's electricity. DFEH: Shame and humiliation. Denial of women's shelter. Ridicule for mentioning traffic. Told I am not a "special protected group." Loss of credibility necessary to retain a private attorney. Distress of refugees and deportees having more federal protection and resources than citizens. Displacement in the fullest sense of the word.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Relief: to restore my rights of citizenship in this country and recognized as worthy of protection under the law. To restore my public good standing so that I do not have to live in fear of losing my freedom. To have no privileges or immunities or protection as a "special group," no matter who I am, and for civil rights to address equal protection instead of limited to only cases involving discrimination for being a certain race, gender etc. Because discrimination is implied by the act of depriving anyone equal protection of the law.

OR - please amend Cal Gov. Code 7260.5 to say something else than "civil rights" because as it stands, it f

empowers government agencies to pry and protect the rights of some citizens over others, and that is not Justice.

Relief: enforcement of my rights to due process as a citizen of the United States of America because sometimes I cannot stand on my own and sometimes law enforcement screws up, leaving citizens more vulnerable than they would have been. Because if the government interferes in the contracts between citizens or takes away or privileges, there must be proof of process, and if not, the assurance that state and federal authorities will not tolerate oppression and that it will hold itself accountable by exercising prudence in the delegation of its power, resources, and funding. Because citizens do not have access to these things and are left at the mercy of their local leaders to allocate with integrity to the law, NOT as a "gift of good will" to bestow upon or deprive or place conditions on. Relief: to not be dismissed as "risk management" and ignored by any government counsel. Because that is not hold to protect and serve anyone, and it places us all at risk, by continuing the cycle of violence of oppression.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

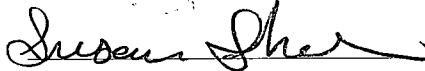
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

04/21/22

Signature of Plaintiff



Printed Name of Plaintiff

Susan Shultz

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address